



Security Council

Sixty-fourth year

Provisional

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Monday, 9 November 2009, 10 a.m.

New York

<i>President:</i>	Mr. Mayr-Harting	(Austria)
<i>Members:</i>	Burkina Faso	Mr. Kafando
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Araud
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Shcherbak
	Turkey	Mr. Apakan
	Uganda	Mr. Kafeero
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation in the Great Lakes region

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The meeting was called to order at 10.20 a.m.

Expression of welcome to the new Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

The President: I should like to extend, on behalf of the Security Council, a very warm welcome to our new colleague from the United Kingdom, Ambassador Sir Mark Lyall Grant, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations. I have had the privilege of working with him in the past and I am very happy that we can continue this cooperation here. I am sure that the Council membership in its entirety is looking forward to working closely with him.

Adoption of the agenda

The agenda was adopted.

The situation in the Great Lakes region

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Olusegun Obasanjo, Special Envoy of the Secretary-General on the Great Lakes Region.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Obasanjo. I now give the floor to Mr. Obasanjo.

Mr. Obasanjo: On my own behalf and on behalf of my co-facilitator, Mr. Benjamin Mkapa, former President of Tanzania, I thank the Council for receiving me today.

It has been precisely one year and two days since the Secretary-General first introduced me as his Special Envoy to the heads of State of the Great Lakes region in Nairobi. As members may recall, when we gathered in Nairobi on 7 November 2008, Laurent Nkunda's Congrès national pour la défense du peuple (CNDP) was threatening to take over Goma. The

humanitarian situation in the Kivus had reached alarming proportions. At the Nairobi summit, it became clear to all how fractured relationships in the region had again become. In particular, Presidents Kagame and Kabila would neither shake hands nor speak to one another.

Today, a year after President Mkapa and I took up the challenge of helping the parties and the region to find solutions, the situation has been dramatically transformed. The humanitarian situation has greatly improved. Many internally displaced persons (IDPs) are now returning to their homes. The CNDP no longer exists as a politico-military organization. The threat to regional peace posed by the armed groups, in particular the Forces démocratiques de libération du Rwanda (FDLR), has been considerably reduced, and there has been a notable warming in regional relationships.

As members of the Council will recall, immediately after the Nairobi summit we began concerted rounds of consultation with regional heads of State. Indeed, over the course of my mandate, I have made a total of 30 visits to 10 heads of State in the region. Here, I would like to thank the Nigerian Government, and in particular President Yar'Adua, for making available to me aircraft from the presidential air fleet for all my travels in the Great Lakes region. I could not have accomplished my task without that special support.

Our first discussions with President Dos Santos provided the backdrop for my activities. At that meeting, I gained some useful insights into the underlying causes of the Congolese conflict from a leader close to the scene. From the moment of our first meetings with Presidents Kabila and Kagame, I carried messages designed to build détente and increase mutual confidence. Soon thereafter, the two Presidents renewed contact and began taking steps towards the rapprochement that we see and welcome today. The international facilitators complemented our efforts in building confidence between the two leaders.

Recognizing the urgency of peacemaking, on 15 November 2008 I also met for the first time with Laurent Nkunda. Soon, we had won the confidence and approval of all to organize direct dialogue between the CNDP and the Government of the Democratic Republic of the Congo in Nairobi. That dialogue was, at first, frustratingly slow, but in time it proved useful in opening direct channels of communication between

the Congolese Government and the CNDP and laid the groundwork for the peace agreements between the Government, the CNDP and the other armed groups on 23 March 2009.

In parallel, we continued to make regular rounds of consultation with the region. With some rapidity, the rapprochement we were encouraging began to bear fruit. It culminated in the historic decision of both countries to take decisive joint military action against one of the key sources of friction between them — the persistence of the FDLR on Congolese soil. In the course of those operations, the CNDP moved to rid itself of Laurent Nkunda. The new CNDP leadership proved more amenable to a negotiated solution. The fruit of that negotiation, again, was the 23 March agreement, the signature of which President Mkapa and I witnessed in Goma.

Since the last time I had the opportunity to address the Council members during their visit to Addis Ababa last June, I have divided my time between two dimensions of my mandate — first, encouraging the parties to accelerate the implementation of the provisions of the 23 March agreement; and secondly, enjoining the two heads of State, Presidents Kabila and Kagame, and their Governments to deepen and consolidate their rapprochement. On both fronts, I believe I can report solid success.

With respect to the 23 March agreements, there has been substantial, if not comprehensive progress. The following provisions have been or are about to be implemented. The amnesty law has been promulgated. The CNDP is now officially registered as a political party. However, other armed groups have yet to register, mainly as a result of internal disputes over leadership positions and weaknesses in their structures. Most political prisoners in Kinshasa have been released and transferred back to their regions of origin. However, delays in the liberation of prisoners persist in North Kivu.

The Congolese authorities are working closely with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to establish stabilization and reconstruction programmes within the framework of the programme for the stabilization and rebuilding of former conflict zones, which was launched last July. In most cases, the appointment of Government administrators to replace former rebel structures has taken place. However, those

officials continue to lack the necessary means and support that would enable them to safely and effectively exercise their authority. MONUC and the Government of the Democratic Republic of the Congo have established a mechanism to look after orphans and the war wounded, but it has yet to become functional because of a lack of resources.

Slow and partial army integration remains an issue. It is one of the root causes of instability in the Democratic Republic of the Congo. Without concerted international support, there is little chance that military integration will be effective in the near future. That may bring back the era of warlordism.

The structured return of refugees and IDPs also remains an issue, although spontaneous returns have already increased significantly. The process leading to the return of refugees from neighbouring countries will have to be managed carefully to avoid a resumption of hostilities between communities in the Kivus.

By contrast, some important provisions of the 23 March agreement still remain unimplemented. Those include the establishment of a national reconciliation mechanism, including local reconciliation committees in the Kivus, the creation of a proximity police force, reforms to electoral law, reforms in the area of good governance and the proper control of natural resources, and the identification of means to foster the more direct participation of elements of former armed groups in the political life of the nation.

A further concern relates to recent rumours of splits within the CNDP. My team and I have continued to monitor the situation closely. We are aware of ongoing and recurring disputes over positions among the CNDP leadership. I have urged the Government of the Democratic Republic of the Congo to accelerate meeting its commitments to the armed groups under the 23 March agreement, precisely so as to prevent dissent and discontent emerging within former armed groups.

Let me now turn to the regional level. The success that has been recorded has been due in very large part to the coming together of the heads of State of the region and to the resolve of Presidents Kagame and Kabila to improve their relationship. If anything gives me hope for the future it is the rapprochement between the Democratic Republic of the Congo and Rwanda. The fruits of that rapprochement have been seen in the joint operation against the FDLR, the

historic meeting at Goma in August of this year between Presidents Kabila and Kagame, the economic cooperation on joint energy generation from butane gas in Lake Kivu, and the restoration of diplomatic relations and exchange of ambassadors, which took place within the past two weeks.

With regard to the FDLR, I believe that Operation Kimia II is achieving reasonable success. In South Kivu, for example, we found widespread support for the continuation of the Operation, which most people recognize to have helped in weakening the FDLR. While we should not downplay the humanitarian consequences of those operations, it is important that we continue to support the Congolese Government in its resolve to rid the Kivus of the FDLR, while stressing the need for the *Forces armées de la République démocratique du Congo* to remain mindful of the protection of civilians. International action against FDLR supporters and leaders abroad is also helpful.

In my recent meetings with Presidents Kabila and Kagame, they separately reassured me that they are very much on speaking terms. But only they will know how deep the relationship really is. I believe that the restoration of full trust between the peoples of the two countries will take some time longer. Once broken, confidence takes time to mend.

In sum, I believe that we have done much to somewhat alter the dynamic at both the national and the regional levels, but a further concern remains. But what we have successfully treated were mainly the symptoms. Most of the underlying ailments that have led to repeated crises in the region still need to be addressed. Without dealing effectively with the underlying issues, peace can neither be durable nor irreversible. One of those ailments is the continued weakness of governance institutions, and the armed forces in particular.

As the Council has heard me say on a previous occasion, in 1960 I served in eastern Congo as a young officer in what was the first United Nations peacekeeping operation there — the United Nations Operation in the Congo. Many of the difficulties that called a young Nigerian officer to the newly independent Congo persist, alas, nearly 50 years later. I am deeply conscious that, while President Benjamin Mkapa and I may have made a marked contribution, no one person, or two for that matter, can help fix the

problems of the Democratic Republic of the Congo alone. Moreover, mediators should be mindful not to become irritants or unwelcome guests to their hosts. The Congolese must be encouraged and empowered to be the architects of their own future. Undue interference by neighbours and by the international community can only be counterproductive, and is not helpful.

During our meeting on 17 October, President Kabila assured President Mkapa and myself that his Government remained committed to the full implementation of the 23 March agreement. He also spoke confidently of the steadily improving relations with Rwanda and Uganda, and of the Democratic Republic of the Congo's good relationship with Burundi and Angola. On that last point, he reassured us that the recent difficulties over expulsions of Congolese citizens from Angola were the result of a misunderstanding between local authorities, and that the issue had been quickly addressed between the two countries.

President Mkapa and I informed President Kabila of our intention to wind down and take a step back from an active role in the peace process in the eastern part of the Democratic Republic of the Congo and the Great Lakes region while national and regional leaders implement measures to strengthen national peace and harmony and regional cooperation, development and solidarity. We reassured him — as we assured President Dos Santos in a subsequent meeting, on 27 October, and President Kagame on 28 October — that we remain on alert should the region need to call on our good offices again. On that basis, I therefore propose the following exit steps.

First, since our meeting, I have again written to President Kabila, urging his action to accelerate the implementation of the 23 March agreement. In a month or so from now, my team will travel to the Democratic Republic of the Congo to make a further assessment. That assessment will be reported to me and President Mkapa to see if there is any marked change either way from the situation that prevails today.

Secondly, at the end of January, President Mkapa and I will submit a final report based on our most recent assessment to the African Union leaders at their regular summit. On the margins of that summit, we hope that leaders of the Great Lakes countries will give us an opportunity to brief them also.

Thirdly, in order to provide assistance in case a new crisis should start to loom, I am working with the United Nations to consider re-tooling my existing support office in Nairobi as a very small, dedicated post, which would continue to liaise with the secretariat of the International Conference on the Great Lakes Region and assess the implementation of the 23 March agreement, monitor efforts to counter the violence of the various residual foreign armed groups at large in the broader region, and monitor the consolidation of the regional rapprochement and actions to sustain peace and make it irreversible.

Fourthly, I have stressed the urgency of addressing the underlying causes of recurring crisis. With this in mind, I recommend an umbrella approach bringing together the United Nations, the African Union, the International Conference on the Great Lakes Region and international development partners in a

concerted effort to strengthen governance institutions in the Democratic Republic of the Congo.

In closing, I must thank the Security Council, the United Nations and its Secretary-General, the African Union, the International Conference on the Great Lakes Region, the heads of Governments of the region and MONUC for their vital support in all that has been accomplished. I also wish to recognize many individual Governments, particularly those of Japan, Nigeria, the United Republic of Tanzania and the United Kingdom, for their material support to my mediation efforts.

The President: I thank Mr. Obasanjo for his briefing.

There are no other speakers inscribed on my list. In accordance with the agreement reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10:45 a.m.